

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP03/05823

## A. CLASSIFICATION OF SUBJECT MATTER

Int.Cl<sup>7</sup> A61K9/48, 9/08, 9/20, 31/59, 47/02, 47/42, A61P3/02

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Int.Cl<sup>7</sup> A61K9/48, 9/08, 9/20, 31/59, 47/02, 47/42, A61P3/02

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01/015702 A1 (Chugai Pharmaceutical Co., Ltd.),	1-3, 6-9, 13-15
Y	08 March, 2001 (08.03.01), Full text & EP 1208843 A1	4, 5
X	JP 58-121211 A (Bayer AG.), 19 July, 1983 (19.07.83), & JP 58-121210 A & JP 53-121921 A & JP 48-28621 A & FR 2150848 A1 & GB 1362627 A & US 3784684 A	10-12

☒ Further documents are listed in the continuation of Box C.☐ See patent family annex.

\* Special categories of cited documents:  
 "A" document defining the general state of the art which is not considered to be of particular relevance  
 "E" earlier document but published on or after the international filing date  
 "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)  
 "O" document referring to an oral disclosure, use, exhibition or other means  
 "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  
 "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone  
 "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art  
 "&" document member of the same patent family

Date of the actual completion of the international search  
11 July, 2003 (11.07.03)Date of mailing of the international search report  
29 July, 2003 (29.07.03)Name and mailing address of the ISA/  
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

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## C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	JP 59-139317 A (Teysan Pharmaceuticals Co., Ltd.), 10 August, 1984 (10.08.84), Particularly, page 2, upper left column, lines 10 to 18 (Family: none)	4
Y	JP 59-88420 A (Teysan Pharmaceuticals Co., Ltd.), 22 May, 1984 (22.05.84), Particularly, Claims (Family: none)	5
Y	EP 228067 A2 (TAISHO PHARAMACEUTICAL CO., LTD.), 08 July, 1987 (08.07.87), Particularly, Claims & JP 62-234542 A & US 5209978 A	5
A	JP 63-166824 A (Teikoku Kako Kabushiki Kaisha), 11 July, 1988 (11.07.88), Full text (Family: none)	1-15

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## Box I Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

The claims claim two groups of inventions, namely, group of claims 1-9 and 11-15 and group of claim 10.

These two groups of inventions are common to each other in the soft capsule containing a non-water-soluble light excluding agent. However, the soft capsule containing a non-water-soluble light excluding agent is described in, for example, JP 5-15691 B2 and thus was publicly known prior to this application. Consequently, this feature cannot be a "special technical feature" within the meaning of PCT Rule 13.2.

The "special technical features" of claims 1-9 and 11-15 (from the viewpoint (continued to extra sheet))

1. ☒ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

- Remark on Protest ☐ The additional search fees were accompanied by the applicant's protest.
- ☒ No protest accompanied the payment of additional search fees.

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Continuation of Box No.II of continuation of first sheet(1)

that the soft capsule produced by the process of claim 11 is considered as essentially corresponding to the photostabilized soft capsule of claim 13) are "photostabilized soft capsule comprising a coating of 200  $\mu\text{m}$  or less average thickness containing a non-water-soluble light excluding agent and a drug enclosed in the coating".

On the other hand, the "special technical features" of claim 10 are "process for preparing a coating formation liquid".

Therefore, there is no technical relationship, among the group of claims 1-9 and 11-15 and group of claim 10, involving one or more of the same or corresponding special technical features, and hence it cannot be recognized that these groups of inventions are so linked as to form a single general inventive concept.

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